

EXHIBITS "A"

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD COLLINS,  
Plaintiff,

vs.

CITY OF PHILADELPHIA,  
et al.,  
Defendants.

:  
:  
:  
: CIVIL ACTION NO.  
: 16-5671

COPY

Oral deposition of RICHARD COLLINS, taken  
at City of Philadelphia Law Department, 1515 Arch  
Street, 14th Floor, Philadelphia, Pennsylvania, on  
Wednesday, April 5, 2017, beginning at approximately  
1:00 p.m., before Maureen E. Broderick, Registered  
Professional Reporter and Notary Public in and of  
the Commonwealth of Pennsylvania.

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## RICHARD P. COLLINS

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## RICHARD P. COLLINS

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## RICHARD P. COLLINS

1                               - - -  
2                               RICHARD P. COLLINS, having been  
3                               first duly sworn to tell the  
4                               truth, was examined and  
5                               testified as follows:  
6                               - - -

7                               (By agreement of counsel, the  
8                               reading, signing, sealing, certification  
9                               and filing are waived; and all objections,  
10                              except as to the form of the question, are  
11                              reserved until the time of trial.)  
12                              - - -

## EXAMINATION

13                              - - -  
14                              - - -  
15                              BY MR. SHOTLAND:

16                              Q       Good afternoon, Mr. Collins.

17                              A       Hello.

18                              Q       My name is Aaron Shotland. I represent  
19                              the defendants in the lawsuit that you brought  
20                              against the City of Philadelphia and a couple of  
21                              police officers, and a detective. You're here today  
22                              for a deposition.

23                                      Do you know what a deposition is?

24                              A       Yes.

25                              Q       Have you been deposed before?

## RICHARD P. COLLINS

1           A     Meaning?

2           Q     Have you sat through a deposition and  
3 answered questions before?

4           A     I believe -- that was the Workers'  
5 Compensation thing was --

6           THE WITNESS: Was that a deposition?

7           MR. McDERMOTT: Yes.

8           THE WITNESS: Yes, I've been through a  
9 deposition before.

10 BY MR. SHOTLAND:

11          Q     I'm going to give you some instructions so  
12 it goes as smooth as possible. You may have heard  
13 them, but I'll go through them again.

14                 Please wait until I'm finished asking  
15 a question before you begin your answer. A lot of  
16 times in conversation you may know the answer to a  
17 question that someone is asking, but you need to  
18 wait until I get the question out to provide your  
19 answer so that the court reporter can take both my  
20 question and your answer. Okay?

21          A     Okay.

22          Q     Keep all your answers verbal. Try not to  
23 demonstrate with your body; use your words. Don't  
24 nod or shake your head to respond to a question.  
25 You have to say yes or no. Try to avoid saying

## RICHARD P. COLLINS

1 "mm-hmm" or "uh-uh." You want to say yes or no.  
2 Okay?

3 A Yes.

4 Q If you don't understand a question, let me  
5 know and I'll rephrase it. If you answer a  
6 question, I'm going to assume that you understood  
7 it. Okay?

8 A Okay.

9 Q I'm not trying to trick you. I'm just  
10 trying to get a sense of what your story is. By all  
11 means, if you don't understand, you know, what I'm  
12 trying to get at, let me know you don't really  
13 understand and I'll try to make myself as clear as  
14 possible. Okay?

15 A Okay.

16 Q Have you taken any substances today that  
17 would prevent you from testifying honestly or  
18 accurately?

19 A No.

20 Q Are you on any kind of medication?

21 A Yes.

22 Q What are you on?

23 A Gabapentin, which is, it's -- the brand  
24 name is Neurontin. I have back issues for nerve  
25 going down my leg. I have sciatica, I believe

## RICHARD P. COLLINS

1     that's what it's -- the --

2           Q     Is that some kind of muscle relaxer?

3           A     It messes with nerves. It keeps from  
4     having leg pain. That, and I'm on pain medication.

5           Q     Does either of those medications affect  
6     your ability to remember things or prevent you from  
7     being able to testify?

8           A     No.

9           Q     You're feeling okay right now?

10          A     Yes.

11          Q     If that changes, let me know. We can, you  
12     know, postpone this to a later date, if need be.

13          A     Okay.

14          Q     Can you state and spell your name.

15          A     Richard -- do you want middle?

16          Q     Yes.

17          A     Patrick, Collins. R-I-C-H-A-R-D,  
18     P-A-T-R-I-C-K, C-O-L-L-I-N-S.

19          Q     What's your date of birth?

20          A     4/22/80. April 22, 1980.

21          Q     What is your current address?

22          A     9101 Blue Grass Road, Philadelphia,  
23     Pennsylvania 19114.

24          Q     Is that South Philly?

25          A     Northeast.



## RICHARD P. COLLINS

1 Q How long have you lived on Blue Grass  
2 Road?

3 A Since about 1998, '99.

4 Q You were living at that address when you  
5 were arrested in 2013?

6 A Yes.

7 Q Who do you live there with?

8 A My mother and my fiancée.

9 Q Back in 2013, who lived at that address?

10 A My mother and fiancée.

11 Q What is your mother's name?

12 A Patricia Collins.

13 Q What is your fiancée's name?

14 A Elizabeth Wojtusik, W-O-J-T-U-S-I-K.

15 Q How long have you been engaged?

16 A Since about 2011.

17 Q Were you with Ms. Wojtusik at any point on  
18 the night you were arrested in 2013?

19 A Meaning?

20 Q Was she in the car with you when you were  
21 arrested?

22 A No. I was by myself.

23 Q Within a few hours before you were  
24 arrested, were you with her at all?

25 A Probably.

## RICHARD P. COLLINS

1 Q I'll get to that a little bit later.

2 A I really don't remember, like, what -- she  
3 works at -- she's an RN at Abington Hospital. I  
4 don't remember if it was a weekend or not.

5 Actually, I'm sorry, she was at work. Because when  
6 I was in the back of the police car, I texted her  
7 and she called me and they slammed the brakes. I  
8 remember she was at work. Because I still had my  
9 possession on me, in the back, and...

10 Q After you called her, they --

11 A Yes, they slammed the brakes on in the  
12 middle of the Boulevard and got out of the car and  
13 took the phone.

14 Q Have you ever been married before?

15 A No.

16 Q Do you have any children?

17 A No.

18 Q Did you graduate from high school?

19 A No.

20 Q How far did you go in school?

21 A I have a GED. Eleventh grade.

22 Q So you started 11th grade; you didn't  
23 complete it?

24 A No, I didn't.

25 Q You did complete tenth grade?

## RICHARD P. COLLINS

1 A Yes.

2 Q Where did you go to high school?

3 A Multiple high schools. Do you want all of  
4 them, or just the last one?

5 Q How many high schools?

6 A Three.

7 Q Tell me all of them.

8 A North Catholic, Frankford High School,  
9 DeLaSalle in town.

10 Q Is DeLaSalle the last one?

11 A Yes.

12 Q Do you have any education beyond your GED?

13 A I have a trade, went to Orleans Technical  
14 Institute for residential and commercial  
15 electricity.

16 Q Did you obtain a degree or certificate?

17 A Certificate.

18 Q What's the certificate called?

19 A I don't know the -- it says -- I'm not a  
20 licensed electrician, if that's what you're asking.  
21 It just shows that I have schooling.

22 Q You have some electrical training?

23 A Yes.

24 Q How long was the training?

25 A I believe eight months.

## RICHARD P. COLLINS

1 Q You completed the training?

2 A Yes.

3 Q So you've never become a licensed  
4 electrician?

5 A No.

6 Q Have you worked as an electrician?

7 A Yes.

8 Q Were you working at the time of this  
9 incident?

10 A No. I was home on --

11 Q When did you obtain the certificate?

12 A 2003, 2002.

13 Q Then after obtaining that certificate, did  
14 you ever work using your electrical training?

15 A Here and there.

16 Q Any steady work?

17 A It would be like if they were short a guy,  
18 I would come in. It wasn't steady work. But at the  
19 time I was pulled over, I was home on Workers' Comp  
20 and disability.

21 Q When you said they would call you in, who  
22 would call you in?

23 A People I worked with, like, here and  
24 there. Like my older brother's friends, Sean Kerns,  
25 which he owns Kerns Electric. I think it's just

## RICHARD P. COLLINS

1 Kerns Electric.

2 Q How do you spell Kerns?

3 A K-E-R-N-S.

4 Q So sometimes when Kerns Electric was  
5 shorthanded, you would fill in?

6 A Yes.

7 Q Any other companies that you would fill in  
8 for?

9 A Nicoletti. I don't know how to spell the  
10 last name.

11 Q Was that the name of the company or a  
12 person?

13 A It's his last name. He owns the company.  
14 He's licensed. I don't know if you know about  
15 electrical, but if you're licensed I can work under  
16 your license. And, say, if the house would burn  
17 down, whatever, it would go --

18 Q It's on their insurance?

19 A Exactly.

20 Q Anyone else?

21 A No.

22 Q When was the last time you did work for  
23 Kerns Electric?

24 A I would say 2010.

25 Q When was the last time you did work for

## RICHARD P. COLLINS

1 Nicoletti?

2 A 2011.

3 Q Did you have some kind of work-related  
4 injury that stopped you from working?

5 A Well, it was my hands. I had carpal  
6 tunnel in both hands. Instead of a job taking, say,  
7 five minutes, it took me 20 minutes. So they  
8 just -- it wasn't, I guess, in their best interest  
9 for having me work there.

10 Q You kind of left because you were having  
11 trouble doing the work?

12 A Yes.

13 Q After working for those two companies, did  
14 you have any other employment?

15 A Yes. Philadelphia Soft Pretzel Factory.

16 Q When did you work there?

17 A 2009 to 2010 or '11.

18 Q Anything after that?

19 A Like odd jobs here and there, helping  
20 people out. Roofing.

21 Q How long did you do that for, odd jobs and  
22 roofing?

23 A Just be a couple days here and there,  
24 like...

25 Q Do you still --

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1           A     No. It would maybe be if people needed  
2 help, friends. Like, I did it when I was kid. I  
3 just, my body can't handle it.

4           Q     When did you stop doing those types of  
5 things?

6           A     2011, 2012.

7           MR. McDERMOTT: Aaron, let me bring  
8 something to your attention, so you know. With  
9 his job for the pretzel company, Philadelphia  
10 Pretzel Company, he was on Workers'  
11 Compensation at the time that he was arrested.

12                 And on the Monday following his arrest, we  
13 were supposed to have a settlement conference.  
14 I may have the numbers a little skewed right  
15 now, but I believe he was offered \$65,000 to  
16 settle it, and he was stuck taking \$30,000  
17 because he was incarcerated as a result of his  
18 arrest. During the period of time he was  
19 incarcerated, it was settled.

20                 So that's one of his biggest economic  
21 losses as a result of the arrest.

22           MR. SHOTLAND: Is there anything that  
23 documents that?

24           MR. McDERMOTT: I have some stuff that  
25 I'll get over to you from his Workers'

## RICHARD P. COLLINS

1 Compensation, including, you know, a copy of  
2 the check that he received in the end, and what  
3 the offer was.

4 We went back and forth hoping to get rid  
5 of this for a while before it came time that we  
6 had to pull the trigger on it and bring it to  
7 an end. But I'll get you the insurance company  
8 and the name of the attorney for the other side  
9 and stuff if you want to --

10 MR. SHOTLAND: I would just, it's  
11 obviously your obligation to produce anything  
12 that --

13 MR. McDERMOTT: I'm bringing it up now  
14 because you're asking him about his jobs and  
15 stuff. Obviously his loss of freedom is a  
16 thing, but that's just pure numbers. That's  
17 where you're going to get the biggest number.

18 And also he was on Social Security  
19 Disability, which you don't get while you're in  
20 prison. They cut that off, as you're a ward of  
21 the State.

22 And he wasn't able to get either of them  
23 back, like when he was released. He couldn't.  
24 Just because he was released, he didn't get the  
25 extra 35,000 or so from the settlement, and he



## RICHARD P. COLLINS

1           didn't get any backpay for his Social Security  
2           Disability.

3           MR. SHOTLAND:   Okay.

4           BY MR. SHOTLAND:

5           Q       Your attorney informed me you were on  
6           Social Security Disability at the time you were  
7           arrested in this case?

8           A       Yes.

9           Q       What were you on Social Security  
10          Disability for?

11          A       My lower back and both my hands and my  
12          right shoulder.

13          Q       How did you hurt those things, those parts  
14          of your body?

15          A       When I was working at the Pretzel Factory.

16          Q       What happened?

17          A       From repetitive motion. I don't know if  
18          you know anything about carpal tunnel. I was  
19          constantly twisting -- what is it? Picking up  
20          6-ounce piece of dough and constantly swinging it  
21          about 5000 times a day, and I developed carpal  
22          tunnel from it.

23          Q       In your hands and right shoulder and lower  
24          back?

25          A       My lower back is from constantly lifting

## RICHARD P. COLLINS

1 hundred-pound bags of flour and lifting the mix out  
2 of the mixer, which turns into a lot more than a  
3 hundred pounds after it's mixed into that, and  
4 constantly bending over and picking it out of the  
5 mixer.

6 Q So all of those injuries were the result  
7 of just repetitive work at the Pretzel Factory?

8 A Yes. I did it when I was a kid also.

9 Q When did you go on Social Security  
10 Disability?

11 A I was awarded Social Security April of  
12 2013, I believe, it was.

13 Q And you received it up until when?

14 A I'm still receiving it.

15 MR. SHOTLAND: Off the record.

16 (Discussion off the record.)

17 BY MR. SHOTLAND:

18 Q If I understand it, you are currently  
19 still receiving Social Security Disability?

20 A Yes.

21 Q You are no longer receiving Workers'  
22 Compensation benefits?

23 A No. That's the whole thing of settling  
24 out.

25 Q The reason you don't receive Workers' Comp

## RICHARD P. COLLINS

1       benefits is because you settled your case in total?

2           A       They wanted to end it, yes.

3           Q       You claim that the settlement -- well,  
4       what's your understanding of what happened to your  
5       Workers' Compensation settlement?

6           A       I had a voluntary mediation that Monday.  
7       I was arrested on Saturday, March 23rd, and I had a  
8       voluntary mediation on the 25th.

9                   And I told the officers, I said, I  
10      have income, there's no reason for me to rob a  
11      corner store.

12                   You're not getting nothing from a  
13      corner store anyway, if you would rob something,  
14      because it's all Access card. If you're going to  
15      rob something, go for a bank; not a corner store or  
16      something. So there's no point of even doing that.

17                   And I told the officers, I said, I'm  
18      about to settle a Workers' Comp. I said, Why would  
19      I risk a hundred thousand dollars, or whatever it  
20      would be -- I didn't know the numbers, like Mike  
21      McDermott just suggested -- but why would I risk  
22      that to rob a corner store?

23           Q       I understand you had certain discussions  
24      with police officers. Right now I'm trying to get a  
25      sense of what you understand happened to your

## RICHARD P. COLLINS

1 Workers' Compensation claim.

2 A Yes. I lost, I basically lost it.

3 Q You did receive a check to settle your  
4 Workers' Compensation claim for \$30,000?

5 A It was less than 30. It was like, I  
6 think, 18 or something, 16 they settled for.

7 Q And --

8 MR. McDERMOTT: Just to clarify that --

9 MR. SHOTLAND: I'm sure you took some  
10 and...

11 MR. McDERMOTT: The attorney in Workers'  
12 Comp gets 20 percent, and I think that I have  
13 that breakdown, too. I'll get it to you.

14 I think he also had to take money from  
15 that to pay me for his criminal case. So  
16 that's what brings him less. We'll get you all  
17 that to show you what he received. If it had  
18 been 60, I still would have gotten 20 percent.  
19 But whatever it is.

20 MR. SHOTLAND: Do you have a claim too?

21 MR. McDERMOTT: I kind of feel like it,  
22 when you have one, I mean, when you have a  
23 client that's doing it. No matter what the  
24 amount was, it would have been 20 percent.

25 BY MR. SHOTLAND:

## RICHARD P. COLLINS

1 Q And it's your belief that you would have  
2 received more had you showed up to that hearing on  
3 the 25th?

4 A Yes. I know that because the attorney for  
5 the Workers' Comp, they were going to put it in an  
6 escrow account and I thought I was going to be  
7 released because of the evidence on my behalf. I'm  
8 somewhere else at the same time the robbery was  
9 committed.

10 Q I'm not asking you about that yet.

11 A Okay. You're asking me if you think I  
12 would have received that, and I'm saying yes, I  
13 would have. The State Farm's attorney's whole thing  
14 was, Well, we're not giving him nothing because he  
15 committed a robbery and it held up the proceedings  
16 for almost a year.

17 Q Did State Farm's attorney say that to you?

18 A It's in the letterhead saying we would  
19 offer your client 32 right now and put it in escrow  
20 if he did not commit the robbery, but we would offer  
21 him, I think it was 16,000 right now, regardless of  
22 the fact if he did or didn't commit the robbery.

23 Q That's your recollection of a letter that  
24 you received from the defense attorney?

25 A Yes.

## RICHARD P. COLLINS

1 Q Do you still have that letter?

2 A I don't believe so. I can look at home.

3 Q If you do, I just ask that you provide it  
4 to your attorney and he can provide it to me.

5 A Okay.

6 Q Have we covered your employment history?  
7 Is there any other employment that you've had that  
8 we haven't talked about?

9 A No.

10 Q Just to, I think, reiterate the testimony  
11 you've already given, you were on Social Security  
12 Disability and Workers' Compensation at the time you  
13 were arrested; you weren't actually working  
14 anywhere?

15 A No, I wasn't.

16 Q I'm going to ask you about your criminal  
17 history. We've got to do this in every case. You  
18 were arrested back in March of 2003 for robbery; is  
19 that right?

20 A Yes.

21 Q And you were convicted on July 22, 2004;  
22 is that correct?

23 A Sounds about right.

24 Q You received a five- to ten-year sentence?

25 A Yes.

## RICHARD P. COLLINS

1 Q How much time did you serve?

2 A Including what I just did -- because I sat  
3 on a parole hit for when I was arrested in March  
4 of --

5 Q Right now I'm just asking you about your  
6 2003 arrest and conviction, July of 2004. How much  
7 did you serve on that sentence?

8 A That whole sentence? I don't understand  
9 what you mean by this. By me -- I was sitting on a  
10 parole detainer.

11 MR. McDERMOTT: No. No. When you were  
12 arrested for robbery the first time you were  
13 charged with robbery, you were convicted. What  
14 was your sentence?

15 THE WITNESS: I did about a little over  
16 five years, you could say.

17 BY MR. SHOTLAND:

18 Q Do you remember what day you were released  
19 from prison for that sentence?

20 A No.

21 Q Do you recall what year you were released?

22 A Well, I was released in 2009 on  
23 pre-release, and then I was sent back because that's  
24 when the two officers were killed and the governor  
25 froze all parole pre-release. They froze everything

## RICHARD P. COLLINS

1 and sent everybody that was on pre-release back to  
2 jail because they didn't know what to do. That's  
3 when the two officers were killed.

4 Q So you were pre-released in 2009 and then  
5 you went back to prison after two officers were  
6 killed?

7 A Yes. And then I had to make parole -- I  
8 was released, I would say, September 2010.

9 Q That's when you were finally released for  
10 good from the robbery conviction?

11 A Yes.

12 Q What were the conditions of your release?

13 A Report once a month; no drugs, alcohol; no  
14 being around, like, places that sold alcohol; not  
15 allowed around other convicted felons. I was in a  
16 halfway house. I had to do the, it's called a  
17 Booster Program, which you do violence prevention in  
18 the halfway house.

19 Q Were you on probation for any set amount  
20 of time?

21 A I believe it was a little bit less than  
22 five years.

23 Q So from September 2010, your understanding  
24 was your probation was five years beyond that?

25 A Yes.



## RICHARD P. COLLINS

1 Q And also in 2003 you were arrested -- I'm  
2 sorry. I'm not sure what date you were arrested,  
3 but you took a plea on December 19, 2003 for  
4 burglary?

5 A Yes.

6 Q That was after your robbery conviction?

7 A It was before.

8 Q That was before your robbery conviction.

9 For that you received five years'  
10 probation?

11 A I believe so.

12 Q If I just, to get the sequencing, you pled  
13 guilty to burglary in December of 2003, then you  
14 were found guilty of robbery in July of 2004; do I  
15 have that right?

16 A Yes.

17 Q And then your next arrest was this arrest  
18 in March of 2013; is that right?

19 A Yes.

20 Q March 23, 2013 you were still on  
21 probation?

22 A Parole.

23 Q You were on parole?

24 A Yes.

25 Q I think you testified earlier you

## RICHARD P. COLLINS

1 mentioned you had a detainer; is that right?

2 A Yes.

3 Q And was it your understanding that because  
4 of your parole status when you were arrested for  
5 this robbery in 2013, the detainer was lodged from  
6 your robbery conviction?

7 A Yes. Or I would have made bail on it and  
8 came home on March 23rd. If I was arrested, say,  
9 two days, three days, however long they take to  
10 arraign you, I would have made bail. I was unable  
11 to make bail because of the parole detainer.

12 Q Understood. And the parole detainer was a  
13 result of your prior robbery conviction?

14 A Yes.

15 Q Moving to the incident, what do you  
16 remember about that day, March 23, 2013, prior to  
17 having the interaction with police?

18 A Meaning? I don't understand.

19 Q Do you remember anything about the day  
20 before you were arrested?

21 MR. McDERMOTT: Tell him where you were  
22 going.

23 THE WITNESS: I was at my house. My wife  
24 left for work, as normal. I usually -- you  
25 could say I'm the housewife at home. Because

## RICHARD P. COLLINS

1 I'm not working, I get all her stuff ready;  
2 make sure her clothes are wrinkle free, her  
3 scrubs, and like do her lunch, pack her lunch,  
4 everything like that.

5 And then I was going to go to her sister's  
6 house at the time, but me and her sister was  
7 having an argument at the time, her youngest  
8 sister at the time.

9 So I decided to drop off costume -- well,  
10 my fiancée had a demonstration for costume  
11 jewelry. It's like Avon. Costume jewelry is,  
12 it's not like gold and silver, but it's like a  
13 cheaper --

14 BY MR. SHOTLAND:

15 Q I know what it is. Plastic.

16 A Stuff like that. She had a demonstration,  
17 and I was on my way to drop it off to someone that  
18 purchased it there before I was pulled over.

19 Q Now, you described kind of preparing your  
20 fiancée's clothing for work and making her lunch.  
21 What time were you doing that stuff?

22 A It would have been in between 5:00 and  
23 6:00, because she leaves for work around 6:00.

24 Q P.m.?

25 A Yes.

## RICHARD P. COLLINS

1 Q She was working 6:00 to 6:00?

2 A She works 7:00 to 7:30.

3 Q 7:00 p.m. to --

4 A To 7:30 a.m.

5 (Overtalking.)

6 BY MR. SHOTLAND:

7 Q What shift was your wife working?

8 A 7:00 p.m. to 7:30 a.m.

9 Q Do you remember doing anything prior to  
10 5:00 p.m. that day?

11 A Probably taking care of my mom. I'm her  
12 caregiver.

13 Q Did you leave the house prior to your wife  
14 leaving for work?

15 A No. After.

16 Q So your wife or fiancée left for work  
17 sometime before 7:00?

18 A I would say 6:00 p.m., because she leaves  
19 on that time every day.

20 Q Around 6:00 p.m. she left?

21 A Yes.

22 Q And you were doing something with her  
23 costume jewelry?

24 A Yes. I was going to drop it off to one of  
25 my friend's cousin's house on Hartel and Torresdale.

## RICHARD P. COLLINS

1 Q Can you say the address again?

2 A I don't know the address. It was Hartel  
3 Street.

4 Q How far from your house was this location?

5 A Maybe 6 miles, 7 miles.

6 Q Is it also in Northeast Philly?

7 A Yes. The Holmesburg area.

8 Q Did you go from your house on Blue Grass  
9 Road straight in the direction of the Hartel Street  
10 house?

11 A No.

12 Q Where did you stop before that?

13 A I stopped at a PNC Bank on Welsh Road.

14 Q Why?

15 A To tap MAC.

16 Q How much money did you take out?

17 A \$80.

18 Q Was there any specific purpose for that  
19 money?

20 A Just to have money on me.

21 Q What account was the money withdrawn from?

22 A A checking account.

23 Q Is it your checking account?

24 A I believe it was.

25 Q Do you still have that checking account?

## RICHARD P. COLLINS

1           A     No. I have an account. It's my mother's.  
2     I have Power of Attorney. I just use that,  
3     basically, as my account also.

4           Q     Do you believe the bank account was owned  
5     by your mother?

6           A     I don't recall. It could have been. I'm  
7     not saying it wasn't or wasn't. It could have been.  
8     I used both accounts.

9           Q     So you're not sure whether the \$80 was  
10    withdrawn from an account owned by you or an account  
11    owned by your mother?

12          A     No, I'm not sure.

13          Q     At the time did you also have a PNC Bank  
14    account for yourself?

15          A     Yes.

16          Q     So you both had accounts at PNC?

17          A     Yes.

18          Q     You and your mother?

19          A     Yes.

20          Q     What time did you stop at the PNC Bank?

21          A     7:45 p.m. Little bit earlier. I would  
22    say about 7:40 because I had to wait behind a car  
23    that was tapping MAC.

24               MR. SHOTLAND: Off the record.

25               (Discussion off the record.)

## RICHARD P. COLLINS

1 BY MR. SHOTLAND:

2 Q Mr. Collins, your attorney just handed me  
3 a packet.

4 MR. McDERMOTT: I'm sorry. One second.  
5 Can you make copies of videos?

6 MR. SHOTLAND: Off the record.

7 (Discussion off the record.)

8 BY MR. SHOTLAND:

9 Q Mr. Collins, your attorney handed me some  
10 documents. I will go through them with you. He's  
11 also identified a video, security video from the  
12 store that was robbed, as well as a video from PNC  
13 Bank, which shows you in line.

14 Since I don't have access to those  
15 today, I will reserve the right to question you  
16 again about the contents of those two videos. Okay?

17 A Yes.

18 Q And your attorney agreed to produce them  
19 to me within the next couple days.

20 Now, one of the pieces of information  
21 that was passed to me was an ATM receipt, looks like  
22 it's a photocopy of two ATM receipts. They both  
23 have PNC Bank at the top of them. One of them says  
24 7:45 p.m, the other says 7:46, on March 23, 2013; is  
25 that right?

## RICHARD P. COLLINS

1 A Yes.

2 Q The account numbers on the receipts, the  
3 one receipt, the account ends in 6630, and the other  
4 receipt, the account ends in 732; is that right?

5 A Yes. They're debit cards. That's the end  
6 of the debit card. I can tell you now, this one is  
7 --

8 Q The 6630?

9 A Yes. The 6630 was my mother's account,  
10 and the 0732 is my account.

11 Q And at this time you withdrew \$40 from  
12 your mother's account and \$40 from your own account;  
13 is that right?

14 A Yes.

15 Q Does this refresh your recollection as to  
16 what the money was for that you took \$40 from your  
17 account and \$40 from her account?

18 A I believe the \$40 from my mother's account  
19 was to grab cat food for her cat. And the 40 from  
20 my account was just to have money on me.

21 Q Earlier I asked you about what time you  
22 withdrew money from PNC Bank. You said around 7:40.  
23 Does this refresh your recollection that it was more  
24 likely around 7:45 and 7:46?

25 A Well, I said in the beginning I withdrew



## RICHARD P. COLLINS

1 it at 7:45, but I remember there was a car in front  
2 of me. So I was probably there around 7:40.

3 Q And you were waiting?

4 A Yes.

5 Q One more question about this. You believe  
6 the 6630 debit card was your card or your mother's  
7 card?

8 A My mother's card.

9 Q And the 732 card was your card?

10 A Yes.

11 Q After withdrawing the cash from PNC Bank,  
12 where did you go?

13 A I headed down Welsh Road and I remember  
14 stopping at a Dunkin' Donuts at Welsh Road and  
15 Holmes Circle in Northeast Philadelphia.

16 Q What did you do after you stopped at  
17 Dunkin' Donuts?

18 A I grabbed an extra large coffee.

19 Q Did you go through the drive-thru or park  
20 and walk in?

21 A Drive-thru.

22 Q And after picking up the coffee from the  
23 drive-thru, what did you do?

24 A I headed to, towards Hartel, I don't know  
25 if it's street or avenue, and Torresdale Avenue.

## RICHARD P. COLLINS

1 Q What happened while you were driving, if  
2 anything?

3 A I don't understand what you mean by that.

4 Q So you were driving towards Hartel Street?

5 A Yes.

6 Q Did you drive to Hartel Street?

7 A Yes. And I pulled over on -- I don't  
8 exactly remember what street it was. I was calling  
9 Crystal Hannah to find out where her house was, on  
10 what side of Hartel, the river's side or Frankford  
11 Avenue side of Hartel, to drop off the jewelry to  
12 her.

13 Q What was her name?

14 A Crystal Hannah.

15 Q Was that the person that was purchasing  
16 the jewelry?

17 A Yes. Well, I believe someone purchased it  
18 for her and I was dropping it off to her. I don't  
19 believe her name was on the order number, but  
20 someone grabbed it for her while they were at the  
21 demonstration.

22 Q You were dropping it off to her?

23 A Yes.

24 Q You needed to find out her address to drop  
25 off the jewelry?

## RICHARD P. COLLINS

1 A Yes.

2 Q You pulled over somewhere and called her?

3 A I was pulled over on a corner of, I guess,  
4 it was 7500 Torresdale Avenue.

5 Q You pulled over and made a phone call?

6 A I was sitting there trying to call her,  
7 which she wasn't answering at the time. So I was  
8 sitting there, kept on trying to call her. And then  
9 a police Explorer, the truck they have, the SUVs,  
10 went by me and made a U-turn and pointed its  
11 spotlight in my face.

12 Q How many times did you try to call Crystal  
13 Hannah?

14 A Maybe four or five times.

15 Q As you're calling her over and over again,  
16 you saw a police car pull beside you and then U-turn  
17 around and shine a spotlight on you?

18 A Yes.

19 Q What happened next?

20 A Well, I was on my phone at the time. When  
21 they pulled up on me, I dropped it. I was like --  
22 I'm on parole. When a cop shines a spotlight in  
23 your face, I was scared, actually, of what was going  
24 on.

25 And then the officers got out of the

## RICHARD P. COLLINS

1 car and he said -- I forget. I don't exactly  
2 remember what they said. But I remember the officer  
3 putting his hand on my chest and says, Why is your  
4 heart beating so fast? Were you just running or  
5 something?

6 I said, No, officer, I'm on state  
7 parole, I'm nervous with what's going on right now.

8 Q You said you dropped your phone. Did you  
9 drop it inside the car or outside the car?

10 A Yes. I dropped it on -- inside the car.  
11 I had, like, my elbow up on the door with the phone  
12 up to my head. And when the officer came up and  
13 shined a spotlight in my face and started asking me  
14 something, I dropped it. I was just scared or  
15 nervous, because I'm like what the heck is going on.

16 Q When you said shined his spotlight on you,  
17 do you mean his flashlight?

18 A I think it was the light for the truck,  
19 how they have it on the driver's side door.

20 Q It wasn't a hand-held flashlight; it was  
21 attached to the car?

22 A Yes.

23 Q He shined the spotlight on you, you  
24 dropped your phone, and the officer walked around to  
25 you?

## RICHARD P. COLLINS

1 A Yes.

2 Q He put his hand over your --

3 A Chest.

4 Q -- and said, Why is your heart beating so  
5 fast?

6 A Yes.

7 Q What else did he say?

8 A I said, Officer, I'm on parole. And they  
9 were like -- next thing I notice, a whole bunch of  
10 other marked and unmarked vehicles boxed me in.

11 Q Do you know which officer came up to you  
12 and put his hand on your chest?

13 A The sergeant. I don't know the last name  
14 right offhand.

15 Q How do you know it was the sergeant?

16 A The stripes on his shirt.

17 Q What color was his shirt?

18 A I think it was a black vest, like sweater  
19 vest.

20 Q What happened next?

21 A I was pulled from my vehicle and Officer  
22 Berkery, I believe it was, had his hands like in the  
23 back of my pants, I would say like where my butt  
24 crack is at, holding my pants. I was telling him  
25 the whole time, I said, Officer, I'm on parole, I'm

## RICHARD P. COLLINS

1 worried about what's going on.

2 He said, You don't have nothing to  
3 worry about if you didn't do nothing.

4 I said, Can you please tell me what  
5 this is in regards to.

6 They would not say anything.

7 I said, You have permission to search  
8 my whole vehicle. I'm not hiding nothing. I just  
9 want to know what's going on. Help me help you,  
10 basically, type of thing that was going on. I said,  
11 Well, what's going on?

12 They wouldn't tell me. And the  
13 sergeant yelled, like whistled over to Officer  
14 Berkery and made like a circle motion with his hand  
15 above his head, and he handcuffed me right then and  
16 there.

17 Q The sergeant made a motion with his hand,  
18 turning his hand in a circle?

19 A Like round-him-up type of...

20 Q Like a round-him-up sign?

21 A I guess.

22 Q And Officer Berkery was holding you by the  
23 back of your pants, then put you in handcuffs?

24 A Yes.

25 Q Could you tell why that was happening at

## RICHARD P. COLLINS

1     that time?

2           A     No.

3           Q     What happened after that?

4           A     The sergeant came up to me and said, You  
5     robbed three people before or two people -- I'm not  
6     exactly -- whatever, pointed at me in my chest and  
7     said, I know you did this robbery.

8                     I said, What are you even talking  
9     about? I said, I have receipts of -- no, I'm sorry.  
10    I didn't say "receipts" at the time.

11                    I said, I have a hot coffee. What  
12    time did this happen?

13                    They wouldn't tell me what time or  
14    anything at the time. And they put me in the back  
15    of the Explorer, I believe at the time, and started  
16    searching my vehicle more.

17           Q     You observed them searching your vehicle?

18           A     Yes.

19           Q     Did you see them pull anything out of your  
20    vehicle?

21           A     No, not that I recall.

22           Q     And did you say anything else to the  
23    officers other than, Look, my coffee is hot or  
24    something like that?

25           A     I think I did say something. I was like,

## RICHARD P. COLLINS

1 What time did this happen? Can you please let me  
2 know what time it happened so I can tell you where I  
3 was at most likely at the time.

4 Because at the time I didn't recall  
5 that much that I was at the bank until they went in  
6 my wallet and looked at -- I think they were  
7 searching my wallet or something like that and they  
8 seen the money in there. I was like, I was just at  
9 a bank too.

10 Q Did you ever see a person at the scene of  
11 your arrest identify you?

12 A Yes. I remember when that happened.

13 Q Was that after you were placed in the back  
14 of the vehicle?

15 A Meaning?

16 Q So you're talking about sitting in the  
17 back of a police Explorer?

18 A Yes.

19 Q Were you identified by the store owner  
20 before that or after that?

21 A After that.

22 Q So how long were you sitting in the back  
23 of the Explorer?

24 A Maybe 10, 15 minutes. Could have been 20.

25 Q What happened after 10 to 15 minutes?



## RICHARD P. COLLINS

1 A They called the witness around, I believe.

2 Q What did the witness look like?

3 A Asian descent. A woman.

4 Q Asian woman. How old?

5 A Maybe 30 or 40.

6 Q Did you hear her say anything?

7 A Well, at first I believe they brought me  
8 out of the vehicle, sat me on the curb while the  
9 witness, while they were bringing the witness  
10 around.

11 Q What happened after they brought the  
12 witness around?

13 A They brought the witness around, they  
14 helped me up off of the curb, I believe, and I had  
15 two officers on each side of me, meaning four all  
16 together. And the lady -- they rolled down the back  
17 of the Explorer's window. She was brought around in  
18 a Explorer also.

19 Q So she was seated in a vehicle?

20 A Yes.

21 Q You were standing on a curb?

22 A Or the street. Curb. Street.

23 Q Near the curb on the street?

24 A Yes.

25 Q And she pulled around side and looked at

## RICHARD P. COLLINS

1     you; is that right?

2           A     Yes.

3           Q     What did she say?

4           A     At first it took her a couple minutes, and  
5     then they brought me a little bit closer. I think  
6     she asked -- I don't know what she asked, if I was  
7     to bring -- be brought closer or not.

8                     I remember her saying, "That him,  
9     that him." Like, in that broken English.

10          Q     How close were you when you heard her say  
11     "That him, that him"?

12          A     Four, 5 feet.

13          Q     What happened after that?

14          A     They rolled -- actually, I'm sorry. I  
15     said, Are you serious? This is BS. Well, I used  
16     the full word.

17          Q     You can say what you said.

18          A     I said, This is bullshit. Are you  
19     serious?

20          Q     You said that to her or to the police?

21          A     I think I just said it out loud, because I  
22     knew what was going to happen after that.

23          Q     When you heard her say, "That him," how  
24     long did it take you to say, "That's bullshit"?

25          A     Instantly.

## RICHARD P. COLLINS

1 Q Did she say "That him, that him" twice?

2 A Yes.

3 Q What happened after that?

4 A The officers took me, put me in the back  
5 of the Explorer. I was yelling to the officer, I  
6 said, Officer, I said, I know I have receipts in my  
7 vehicle, can you please just look. I said, Feel my  
8 coffee, it's still hot.

9 And I remember Officer Berkery came  
10 back and said, You have so many receipts in there,  
11 I'm not looking at every single one, or something  
12 like that, like in that -- meaning I had a lot of  
13 receipts in the car, he's not going to look at every  
14 single one. Basically my word was no good to him  
15 after that happened.

16 Q Did you have a lot of receipts in the car?

17 A Maybe about four or five. Not like a  
18 whole glove, armrest full of paper receipts. It was  
19 maybe four or five.

20 Q When you were arrested, did you have the  
21 PNC receipts on you?

22 A No. They were right on my -- like the  
23 little cubbyhole or -- I don't have my Buick no  
24 more. That's the vehicle I had at the time. I'm  
25 trying to think the setup.

## RICHARD P. COLLINS

1 I think it was like a little  
2 cubbyhole underneath where the radio is on most  
3 vehicles, has like the little place where you can  
4 put stuff.

5 Q And you believe the PNC receipts were in  
6 that little area underneath the radio?

7 A Yes.

8 Q Did you tell him, Go look at those  
9 receipts in the car underneath the radio, or did you  
10 say, There's receipts in the car, you should look at  
11 them?

12 A No. I said, There should be either in my  
13 armrest or underneath the radio.

14 Q Do you remember Officer Berkery saying  
15 there's too many receipts in there, I'm not going to  
16 look at them all?

17 A Well, I remember him saying something  
18 like, Oh, there's an ATM receipt in there but the  
19 dates don't match, or something, the time doesn't  
20 match.

21 Q You remember him saying there's an ATM  
22 receipt in there but the times don't match?

23 A Times or date.

24 Q You don't remember which?

25 A No.

## RICHARD P. COLLINS

1 Q But he said something about the bank  
2 receipts?

3 A Yes.

4 Q What happened next?

5 A We were, I think, they were -- I was  
6 brought around to the store on Cottman and Ditman or  
7 Jackson Street, I don't remember exactly what cross  
8 street it is off of Cottman, but it was on Cottman  
9 Avenue, and I remember them opening the door and the  
10 one officer looking at my sneakers, Oh, yeah,  
11 they're the sneakers on the video, they were saying.

12 Q Who said, Yeah, they're the sneakers?

13 A I don't know the officer's name. He had  
14 black hair, like comb-over parted with glasses.

15 Q Was he a white officer?

16 A White, yes.

17 Q You remember him mentioning something  
18 about your shoes matching the video?

19 A Yes.

20 Q What happened after that?

21 A I kept on, I remember I kept on telling  
22 Officer Berkery, I was like, Can you please at least  
23 stop up at Dunkin' Donuts?

24 And the sergeant said, Well, if you  
25 were at the Dunkin' Donuts at the time, that's going

## RICHARD P. COLLINS

1 to be your saving grace moment.

2 I remember I was told that while we  
3 were heading up Cottman Ave. And then that's when I  
4 was trying to text my wife at the time also, telling  
5 her that I was arrested.

6 I remember the phone going off and I  
7 answered it and I told my wife -- I'm sorry,  
8 fiancée. I call her "wife" a lot. We've been  
9 together forever. I remember telling her, I'm  
10 locked up right now.

11 And she was like, Are you fucking  
12 serious?

13 I said, Yeah, robbery.

14 Then the sergeant took my phone and  
15 just -- I think he took the battery out the back  
16 because he didn't know how to turn it off, I guess.

17 I was told, Well, we've been  
18 respectful to you and you disrespected me like that.  
19 Officer Berkery said that at the time.

20 Q Before that you heard him say that if you  
21 were at the Dunkin' Donuts, that will be your saving  
22 grace?

23 A No, I'm sorry. The sergeant was saying  
24 that. I said, Are we going up to Dunkin' Donuts  
25 right now?

## RICHARD P. COLLINS

1           That's where I honestly thought we  
2       were going because we were going northbound on the  
3       Boulevard. I didn't know where I was going. I  
4       guess they were taking the long way or short way, I  
5       don't know what they were doing, honestly, to take  
6       me to the district. That's where we were heading  
7       towards, the district I thought.

8           Q     You believed you were going to the Dunkin'  
9       Donuts and you said, Are we going to the Dunkin'  
10      Donuts? And the sergeant said back to you, If you  
11      were at that Dunkin' Donuts, that's your saving  
12      grace?

13          A     Yes, something along them lines.

14          Q     And then you started calling your wife and  
15      they noticed, the police officers noticed that you  
16      were calling her, they stopped the car, and took  
17      your phone?

18          A     No. I texted her first saying, I'm locked  
19      up, or "I locked up," something like that. She  
20      called me and I answered it. And that's -- they  
21      slammed on the brakes in the middle of the Boulevard  
22      and got out and took my phone from me.

23          Q     What happened after that?

24          A     They were mad at me, saying, like, You're  
25      being disrespectful to us; we were respectful to you

## RICHARD P. COLLINS

1 the whole time.

2 I don't actually recall exactly what  
3 I said. I think I might have said, Respectful? I'm  
4 locked up. Are you serious?

5 Q And then you were taken into the district?

6 A Well, I was told by -- Officer Berkery  
7 kept saying, Where's the gun at? Where's the gun  
8 at?

9 I said, What are you talking about?  
10 What gun?

11 He said, If a little kid finds that  
12 gun, I'm coming down that cell and kicking your ass.

13 Q Did you say anything back?

14 A No. I was just like -- I guess at that  
15 time I think I was like, I don't even know what  
16 you're talking about. I said, It wasn't me; I  
17 didn't do this.

18 They didn't believe me. So there was  
19 no point in wasting oxygen on arguing with them no  
20 more. They're not believing me. In their eyes,  
21 they thought I did it once I was identified and  
22 everything. Actually, I think I was -- they thought  
23 I did it once they ran my name and seen my prior  
24 arrests.

25 Q They ran your name, your belief is they



## RICHARD P. COLLINS

1 ran your name before you were identified?

2 A They did run my name before I was  
3 identified.

4 MR. McDERMOTT: I'm sorry. What did you  
5 say?

6 THE WITNESS: They did run my name before  
7 I was identified.

8 MR. McDERMOTT: Okay.

9 BY MR. SHOTLAND:

10 Q Then you were brought down to the  
11 district?

12 A Yes.

13 Q You were processed?

14 A Not right away.

15 Q How long did that take?

16 A I went up into the detectives. I spoke  
17 with the detectives first.

18 Q Who did you speak with?

19 A I don't know their names.

20 Q Do you remember what they look like?

21 A A light-skinned gentleman.

22 Q Light-skinned African-American?

23 A Yes. And brown-skin police officer,  
24 detective. And then there was a white detective  
25 standing in the doorway at the time with gray hair.

## RICHARD P. COLLINS

1 I don't recall his name either.

2 Q What did you say to them?

3 A At first they sat me in the room for maybe  
4 about 20 to 30 minutes before coming in and  
5 questioning me.

6 Q And then what happened when they  
7 questioned you?

8 A I told them it wasn't me.

9 Q What did they say to you?

10 A They were saying, Well, we have video of  
11 it; it's you.

12 I said, Please show me the video; if  
13 it's me, I'll sign any plea bargain you want. I  
14 said, Take a video with your phone.

15 They thought about it and they said,  
16 Oh, we can't do that.

17 Q So you asked to see the video and they  
18 wouldn't show it to you?

19 A No, they wouldn't.

20 Q Was anything else said?

21 A They brought up about my sneakers.

22 Q What did they say about your sneakers?

23 A They said the sneakers match what the  
24 person was wearing that robbed the store. I  
25 remember one officer saying, Oh, let me guess, they

## RICHARD P. COLLINS

1     aren't the only sneakers ever produced or -- he  
2     said -- what did he say? Let me guess, you're going  
3     to say they're not one-of-a-kind sneakers.

4                     I said, No, but I guarantee you, if  
5     the guy is robbing a corner store he doesn't have  
6     these sneakers on; they're almost a \$300 pair of  
7     sneakers.

8                     I went, you could say I went -- not  
9     belittling, but talking shit to him. I was saying,  
10    My sneakers cost more than you and your partner's  
11    outfit. At the time --

12            Q     You said that to the detective?

13            A     Yes. I was angry at the time. And then  
14    they took my sneakers. They stood me up, took my  
15    sneakers, and put them in a brown bag right in front  
16    of me.

17            Q     They're \$300 sneakers. Are they, like,  
18    special sneakers?

19            A     They're LeBron James sneakers.

20            Q     When did you get them?

21            A     I don't recall that.

22            Q     Had you had them for a period of months,  
23    weeks, days?

24            A     See, I have a lot of sneakers. I'm what  
25    they call a "sneaker head." So I don't recall when

## RICHARD P. COLLINS

1 I bought them. I would say months.

2 Q Were they special order?

3 A They're limited release.

4 Q Where did you buy them from?

5 A I bought them off of someone through a  
6 Facebook group. I bought five pairs of them at one  
7 time off 'em and got a deal with them instead of  
8 paying -- they call them resellers.

9 You'll go buy something for, say,  
10 150, but you have to wait in line or they're limited  
11 release and then they turn around and sell them for  
12 three to \$400.

13 Q Anything else said in that interrogation  
14 room that you didn't already testify about?

15 A I honestly don't remember that much of the  
16 interrogation because I was seeing red or so angry,  
17 as they say, seeing red.

18 Q You were upset?

19 A Very upset. I was remember telling them  
20 you're a detective, detect. Like...

21 Q Anything else?

22 A I believe I did curse him out more than  
23 once.

24 Q Do you remember what you said?

25 A No.

## RICHARD P. COLLINS

1           Q     If anything comes to you while I'm asking  
2     you questions about other things, you can chime in  
3     and let me know if you remember something.

4           A     Okay.

5           Q     Now, the ATM receipt that we talked about  
6     already, when were you able to obtain those out of  
7     your car?

8           A     My wife -- I'm sorry, my fiancée retained  
9     them out of the car.

10          Q     When?

11          A     The day that she picked up the vehicle. I  
12     don't know exactly what day she did pick up the  
13     vehicle from the corner.

14          Q     Do you know how many days after you were  
15     arrested?

16          A     One. Maybe two.

17          Q     One or two days after you were arrested?

18          A     Yes.

19          Q     And what did she do with the receipts when  
20     she picked them up?

21          A     She gave them to, I believe, Larry  
22     Narsissi or made copies and gave the copy to Larry  
23     Narsissi.

24          Q     Larry Narsissi was your attorney?

25          A     Yes.

## RICHARD P. COLLINS

1 Q You believe she gave him copies of the  
2 receipts two or three days after you were arrested?

3 A I think she gave them to him right --  
4 well, we had his cell phone number. He's a family  
5 friend also. Not family friend. He's more of my  
6 wife's husband's family, more of a friend there,  
7 through my -- not wife. I'm sorry. My sister's  
8 husband, my brother-in-law, family friend of them.

9 Q I'm just asking you when do you think your  
10 fiancée gave the copies of the PNC receipts to the  
11 attorney?

12 A I believe it might have been the next day.  
13 Because I believe that he had, that Larry Narsissi  
14 had the receipts while I was still in the district.

15 Q How long were you at the district?

16 A I think three or four days.

17 Q Did Larry Narsissi ever show you the  
18 receipts?

19 A No.

20 Q Why do you think he had them?

21 A I thought he was going to go to -- I can't  
22 answer that. I'm sorry. I really can't answer why  
23 he had them or what he was doing with them.

24 Q I'm not asking you to speculate as to what  
25 he did with them. I'm asking what you know

## RICHARD P. COLLINS

1 personally. If you don't know, you don't know.

2 A I don't know.

3 Q That's a perfectly fine answer.

4 A I don't know.

5 Q So you don't know exactly when your  
6 fiancée gave your attorney those receipts?

7 A I know I was still in the district at the  
8 time.

9 Q So it was within three to four days of  
10 your arrest?

11 A I would say one to two days within my  
12 arrest.

13 Q And you don't know what Larry Narsissi,  
14 your attorney, did with those receipts when he  
15 received them?

16 A No, I don't.

17 Q How long did you spend in jail in total  
18 after you were arrested?

19 A I think 14, 15 months.

20 Q Do you know when the detainer was lodged?

21 A Well, I maxed out, meaning my parole or  
22 sentence was over. It was June 10, 2015, I believe.

23 Q You were arrested in 2013. You testified  
24 earlier you were released in 2010 from your earlier  
25 sentence with five years of parole?

## RICHARD P. COLLINS

1           A     So it would have been -- I don't remember  
2 if it was 14 or 15 of June.

3           MR. McDERMOTT: His bail was changed on  
4 June 13, 2014, and in that time he was at  
5 Graterford. And then his case was discharged  
6 on August 7, 2014.

7           THE WITNESS: So it would have been June  
8 of 2014.

9           MR. McDERMOTT: He would have been in  
10 custody from the date of his arrest through  
11 that date.

12          MR. SHOTLAND: Can you give me that date  
13 again? Dismissed what day?

14          MR. McDERMOTT: The case was dismissed on  
15 August 7, 2014. His bail was changed on  
16 June 13, 2014.

17 BY MR. SHOTLAND:

18          Q     So if I understand it, then, you were  
19 arrested on March 23, 2013, right?

20          A     Yes.

21          Q     Then a detainer was lodged and you were  
22 serving a probation or parole violation until  
23 June 13, 2014?

24          A     Well, my max out day was June 10th of  
25 2014. Then I was brought to the County on State



## RICHARD P. COLLINS

1 Road. I remember, I believe we went into -- I  
2 didn't, Michael did, went into the courtroom and I  
3 was supposed to be given unsecure bail or ROR,  
4 something within that means, something within that.  
5 It was screwed up.

6 They had it as an electronic  
7 monitoring or a house arrest, which they messed up.  
8 The case before me, they did house arrest and they  
9 had the paperwork mixed up. So I had to sit in over  
10 the whole weekend and then I was released that  
11 Monday when they figured out what happened.

12 Q That Monday after June 10, 2014?

13 A Yes.

14 Q You were released from prison?

15 A From State Road.

16 Q Now, in that period between March of 2013  
17 when you were arrested and June 10, 2014, were you  
18 serving that time on State Road?

19 A No. I was in, when I was arrested on the  
20 23rd, I was -- I think I was sent up to State Road  
21 maybe that Monday or Tuesday, so that would have  
22 been the 25th, 26th -- actually, I was -- what was  
23 I?

24 Q I think earlier you said you served the  
25 time in Graterford?

## RICHARD P. COLLINS

1           A     I did some time in the County, maybe one  
2     or two months or three months, and then they do a  
3     payoff, meaning the State pays your bail so they --  
4     parole can come and get you.

5                     So I did my -- I did about no more  
6     than three months on State Road. I was at  
7     Graterford for about six or seven months, and then I  
8     was sent to SCI Dallas for about four months, five  
9     months.

10          Q     And then in June of 2014 you were brought  
11     back to the county and went to court and were  
12     dismissed?

13          A     Well, unsecured bail I was granted on  
14     July 13th or --

15                     MR. McDERMOTT: June.

16                     THE WITNESS: June 13th. They gave me  
17     unsecure bail, and then they didn't withdraw  
18     the charge until August 7th, I believe, it was.

19     BY MR. SHOTLAND:

20          Q     Right. You didn't serve that period of  
21     time from mid June 2014 to August 7, 2014 in prison;  
22     you were out, right?

23          A     Yes.

24          Q     So you were released sometime in the  
25     middle of June of 2014?

## RICHARD P. COLLINS

1           A     Yes.

2           Q     And then they dropped the charges  
3     August 7th?

4           A     Yes.

5           Q     I'm going to show you a photograph of  
6     sneakers. Can you identify the sneakers?

7           A     Yes.

8           Q     Whose sneakers are those?

9           A     They're mine.

10          Q     Were those the sneakers you were wearing  
11     when you were arrested?

12          A     Yes.

13                                 (Exhibit Collins-1 was marked  
14                                 for identification.)

15     BY MR. SHOTLAND:

16          Q     Do you see the document that's been marked  
17     Collins-1?

18          A     Yes.

19          Q     That's the picture of your sneakers,  
20     right?

21          A     Yes.

22                 THE WITNESS: Can I ask him something off  
23     the record?

24                 MR. SHOTLAND: Take a break.

25                         (Discussion off the record.)

## RICHARD P. COLLINS

1 THE WITNESS: And then when I was in the  
2 district, my fiancée's father, he works for the  
3 polls and works for the city now, at the time  
4 he didn't, he knows a lot of like state  
5 representatives and stuff like that, and he  
6 knows a lot of police officers, detectives and  
7 regular cops.

8 He made a lot of phone calls to tell the  
9 detectives at the time that they had receipts  
10 at the time. And, I guess, from -- I'm sorry.  
11 I can't presume anything that the detective was  
12 thinking at the time.

13 But I think it's because of the arguments  
14 or me cursing him out had something to do with  
15 it. My fiancée's father was told, Oh, it's in  
16 the DA's hands now, when he could have showed  
17 them a receipt at the time of me being  
18 somewhere else at the time of the crime.

19 BY MR. SHOTLAND:

20 Q Who could have showed someone --

21 A The detective could have been shown that  
22 PNC receipt right there, but they didn't -- I  
23 believe they thought it was me by me being  
24 identified.

25 Q When you say somebody could have showed

## RICHARD P. COLLINS

1 the detective the receipt, who do you --

2 A Meaning either --

3 Q Who are you talking about?

4 A Either my father-in-law, my wife -- my  
5 fiancée, my sister, my brother. Someone could have  
6 made it up to the district to show the officer or  
7 detective the ATM receipt showing it's physically  
8 impossible for me to have robbed that store knowing  
9 I'm at Welsh Road at the time, or two minutes after,  
10 the crime happened.

11 Q It's your belief that some member of your  
12 family should have gone and shown the detective  
13 these receipts?

14 A Well, it wasn't that they could have shown  
15 them. The detectives didn't want to hear it.

16 Q So you think the detective should have  
17 called your family back after they called the  
18 district? I'm just trying to understand what you're  
19 saying.

20 A Yes, the detective should have -- if  
21 someone is telling you they have an alibi, don't you  
22 think you should look into that before they're  
23 automatically proven guilty instead of innocent  
24 until proven guilty. You're guilty until proven  
25 innocent in Philadelphia now.

## RICHARD P. COLLINS

1           Q     I'm just trying to understand the point  
2     you're trying to make, is that you believe the  
3     detective should have --

4           MR. McDERMOTT:   His point of view is the  
5     detective should have listened to him and his  
6     girlfriend's father, who was trying to show  
7     them that they had receipts showing that he had  
8     an alibi.   I think he's just having trouble  
9     saying it.

10    BY MR. SHOTLAND:

11           Q     Is that right?

12           A     Yes.

13           Q     Your attorney gave me some phone records  
14     for telephone number (215)776-6796.   Is that your  
15     phone number?

16           A     Yes.

17           Q     On March 23, 2013, at 7:39 p.m., you  
18     called (215)760-7094; is that right?

19           A     Yes.

20           Q     Who is that?

21           A     That's my fiancée's phone number.

22           Q     Is that the call that you referred to  
23     earlier from the police car or is that earlier in  
24     the night?

25           A     That's -- what time did you say?

## RICHARD P. COLLINS

1 Q 7:39 p.m.?

2 A No, that's earlier in the night.

3 Q At 7:40 p.m., it appears you called  
4 (215)941-3533. Do you know who that is?

5 A No, not right offhand.

6 Q At 7:41 p.m., it appears you called  
7 (267)339-5712. Do you know who that is?

8 A Not right offhand.

9 Q All those calls were within one minute of  
10 each other, 7:39, 7:40 and one was at 7:41. You  
11 don't know who those second two numbers are?

12 A No, not right offhand.

13 Q At 7:46 you called (267)339-5712. That's  
14 the same number as I just read. You still don't  
15 know who that is?

16 A No.

17 Q Let me give you this to review. See if  
18 that refreshes your recollection. It's the bottom  
19 call on the first page, first call on the second  
20 page.

21 A The only reason the phone records were  
22 brought in, Larry Narsissi, my attorney, was going  
23 to have my cell phone pinged to show where I was at  
24 at the time of the robberies.

25 They're circled like that at them

## RICHARD P. COLLINS

1 times to show I'm on my phone at the time of the  
2 robbery to show where the person robbing the corner  
3 store wasn't using the phone while they were robbing  
4 the store at the time. So that's why my phone  
5 records are being shown like this.

6 Q So the point of the phone records is to  
7 show that during the period when the store was  
8 robbed, you were on the phone?

9 A Yes. Now, the 941 number was, I believe,  
10 Crystal Hannah at that time, after looking at it.  
11 Because remember I told you in the beginning I tried  
12 calling her a couple times while I was sitting on  
13 the corner.

14 Q Which number is that on that page?

15 A That is -- let me see. 941-3533.

16 Q That's the number you called two times?

17 A A couple, yes.

18 (Exhibit Collins-2 was marked  
19 for identification.)

20 BY MR. SHOTLAND:

21 Q Handing you what's marked Collins-2, it  
22 appears to be a letter, handwritten letter, signed  
23 by you to your attorney; is that right?

24 A Yes.

25 Q It's describing a compromise and release



## RICHARD P. COLLINS

1 for your Workers' Compensation claim?

2 A Yes.

3 (Exhibit Collins-3 was marked  
4 for identification.)

5 BY MR. SHOTLAND:

6 Q Handing you what's been marked Collins-3.  
7 This appears to be a letter, handwritten letter, to  
8 your attorney agreeing to pay him \$7500 to represent  
9 you in a criminal case?

10 A Yes.

11 Q What criminal case was that?

12 A The one that I was arrested for on  
13 March 23rd of 2013.

14 Q Did you ever pay Mr. McDermott \$7500?

15 A Yes.

16 Q Do you have any receipts of paying him?

17 A No, not right offhand.

18 Q Do you know which accounts they were paid  
19 out of?

20 A I believe it was through the settlement he  
21 was paid.

22 Q So a portion of this Workers' Compensation  
23 settlement went to paying him to represent you for  
24 the criminal case?

25 A Yes.

## RICHARD P. COLLINS

1           Q     Have you ever been to the Red Sun Market  
2 before?

3           A     No.

4           Q     You understand that is the market that was  
5 robbed?

6           A     Yes.

7           Q     Had you ever seen Xiu Mei Xiao before?

8           A     No.

9           Q     X-I-U, M-E-I, X-I-A-O.

10                     Do you know anything about Xiu Mei  
11 Xiao?

12          A     Meaning?

13          Q     From, you know, having her identify you in  
14 the criminal case, did you ever find anything out  
15 about her?

16          A     No.

17          Q     Other than, saying, "That him, that him,"  
18 did you hear her say anything else?

19          A     No.

20          Q     When she said, "That him, that him," did  
21 you understand that she was identifying you?

22          A     Yes.

23          Q     Do you have copies of either the video  
24 from PNC Bank or the video from the Red Sun Market,  
25 personally; do you have those?

## RICHARD P. COLLINS

1           A     I might have.

2           Q     You're not sure one way or the other?

3           A     No. Because I put it on a flash drive for  
4 Michael the one time. I don't know. I know he has  
5 a copy of it on a flash drive. But I don't recall  
6 if I kept it myself.

7           MR. SHOTLAND: Those are all the questions  
8 I have.

9           MR. McDERMOTT: No questions.

10          THE REPORTER: Regular delivery for  
11 finals?

12          MR. McDERMOTT: Yes, regular delivery.  
13 Just a full transcript.

14          MR. SHOTLAND: Regular is fine.

15               (Witness excused.)

16               (Deposition concluded at 3:14 p.m.)

17

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25

RICHARD P. COLLINS

## C E R T I F I C A T E

COMMONWEALTH OF PENNSYLVANIA :

:

COUNTY OF PHILADELPHIA :

I, MAUREEN BRODERICK, Registered  
Professional Reporter - Notary Public, within and  
for the Commonwealth of Pennsylvania, do hereby  
certify that the proceedings, evidence, and  
objections noted are contained fully and accurately  
in the notes taken by me of the preceding  
deposition, and that this copy is a correct  
transcript of the same.



MAUREEN BRODERICK

Registered Professional

Reporter - Notary Public

## LAWYER'S NOTES

[illegible]

|   |   |  |   |   |
|---|---|--|---|---|
| <p><b>A</b></p> <p>a.m 27:4,8</p> <p>Aaron 2:9 4:18 14:7</p> <p>aaron.shotland@... 2:11</p> <p>ability 7:6</p> <p>Abington 9:3</p> <p>able 7:7 15:22 52:6</p> <p>access 18:14 30:14</p> <p>account 20:6 28:21 28:22,23,25 29:1 29:3,4,10,10,14 31:2,3,4,9,10,12 31:12,17,17,18,20</p> <p>accounts 29:8,16 64:18</p> <p>accurately 6:18 67:13</p> <p>ACTION 1:4</p> <p>address 7:21 8:4,9 28:1,2 33:24</p> <p>affect 7:5</p> <p>African-American 48:22</p> <p>afternoon 4:16</p> <p>agreed 30:18</p> <p>agreeing 64:8</p> <p>agreement 4:7</p> <p>al 1:6</p> <p>alcohol 23:13,14</p> <p>alibi 60:21 61:8</p> <p>allowed 23:15</p> <p>amount 19:24 23:19</p> <p>angry 50:13 51:16</p> <p>answer 5:15,16,19 5:20 6:5 53:22,22 54:3</p> <p>answered 5:3 45:7 46:20</p> <p>answering 34:7</p> <p>answers 5:22</p> <p>anyway 18:13</p> <p>APPEARANCES 2:1</p> <p>appears 62:3,6 63:22 64:7</p> <p>approximately 1:12</p> <p>April 1:12 7:20 17:11</p> <p>Arch 1:10 2:10</p> <p>area 28:7 43:6</p> <p>arguing 47:19</p> <p>argument 26:7</p> 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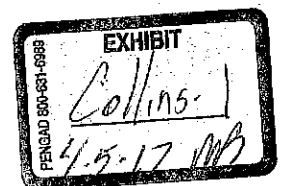
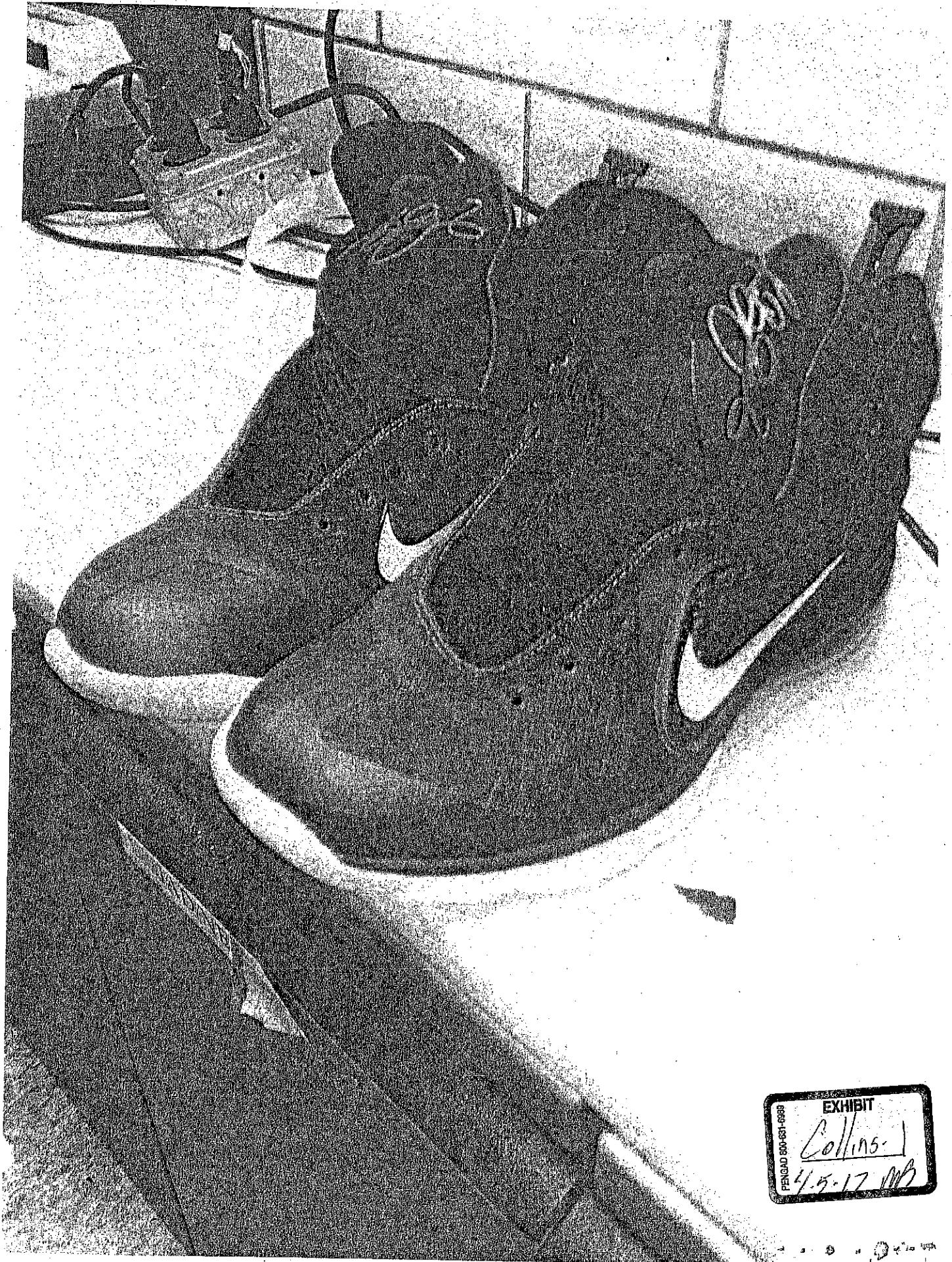


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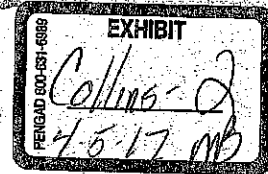
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|---|--|---|--|---|







I, Richard Collins, D.O.B., 4-22-80  
S.S. # 172-64-0924 hereby give Michael I.  
McDonnell, Esq. Power of Attorney to sign  
and execute all documents in reference to  
the Compromise and Release paperwork in  
reference to my Workers' Compensation claim  
against my former employer, Philadelpha  
Pictzel Factory. I understood that the  
claim is being settled for \$16,848.  
and that Michael I. McDonnell is entitled  
to twenty (20%) of the settlement amount.

I recognize that the settlement of the  
claim brings the matter to an end  
that I can not seek any further  
benefits as a result of the work  
related accident. That I hereby resign my position.

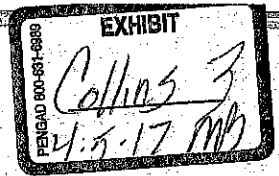
Other than the agreement, no one  
has made any other promises to  
get me to enter the Compromise and  
Release Agreement. I am making a knowing  
intelligent and voluntary decision.

Witness:

Ruben Morales #LC8159

Ruben Morales

Richard Collins  
Richard Collins 3-16-11



I hereby agree to pay my  
attorney, Michael I. McDermott, Esquire  
\$7,500.00 to represent me in the  
Matter of Commonwealth v. Richard  
Collins. This figure does not  
include costs.

Richard Collins  
Michael Collins 3-16-14